

City and County of San Francisco

San Francisco Public Works



London N. Breed, Mayor
Mohammed Nuru, Director

GENERAL - DIRECTOR'S OFFICE
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.SFPublicWorks.org



Public Works Order No: 200455

RECOMMENDATION OF APPROVAL TO THE SAN FRANCISCO BOARD OF SUPERVISORS FOR FINAL APPROVAL OF MAJOR ENCROACHMENT PERMIT NO. 14ME-0023 FOR BUILD, INC TO OCCUPY AND MAINTAIN A PORTION OF THE PUBLIC RIGHT-OF-WAY WITH A PUBLIC PLAZA FRONTING 660-680 INDIANA STREET ON 19TH STREET BETWEEN INDIANA STREET AND HIGHWAY 280 (DOGPATCH ARTS PLAZA).

APPLICANT: Build Group, Inc.
Attn: Katie O'Brian
315 Linden Street
San Francisco, CA 94102

PROPERTY IDENTIFICATION: 660-680 Indiana Street
(19th Street frontage)
San Francisco, CA 94107

DESCRIPTION OF REQUEST: Major Encroachment Permit 14ME-0023

BACKGROUND:

1. On December 3, 2014, the applicant filed a request with Public Works to consider approval of a Major Encroachment Permit to construct and maintain a new public plaza on 19th Street, west of Indiana Street in the Dogpatch neighborhood.
2. The Planning Commission Motion No. 19150, dated May 15, 2014, determined that the subject encroachment is in conformity with the General Plan.
3. The Transportation Advisory Staff Committee (TASC) had no objections from the meeting on August 27, 2015.
4. Upon reviewing and receiving positive recommendation from other City Departments, San Francisco Public Works scheduled a public hearing on November 4, 2015 to consider the proposed encroachment.
5. On October 22, 2015 a copy of the Notice of Public Hearing was mailed to all property owners within a 300-foot radius of the subject property.
6. No objections or queries were received by the Department.
7. On November 4, 2015, Hearing Officer Rinaldi Wibowo conducted a hearing to consider the proposed encroachment.
8. No public testimony was presented at the public hearing in favor of or in opposition to the proposed encroachment.



9. Upon hearing the above testimony and reviewing the application, reports, plans, and other documents contained in the Public Works files, the Hearing Officer informed the attendees that he would make his recommendation to the Department following the hearing.
10. Public Works Order No. 184,286, dated December 11, 2015, approved the Major Encroachment Permit to be transmitted to the Board of Supervisors for approval.
11. Public Works issued a conditional Notice to Proceed on September 27, 2016 for the construction of Dogpatch Arts Plaza.
12. By late fall 2017, the permittee completed the plaza construction and Public Works found the work in general conformance with the plans dated June 23, 2016 on file with Public Works.

RECOMMENDATION: CONDITIONALLY RECOMMEND TO THE BOARD OF THE SUPERVISORS TO APPROVE the subject Major Encroachment Permit and associated Encroachment Agreement with consideration of the following condition and findings, and waive the public right-of-way occupancy assessment fee pursuant to Public Works Code Section 786.7(f)(4).

The Applicant shall submit and fulfill all Major Encroachment Permit requirements to the Department, including but not limited to the following condition:

CONDITION 1: The Applicant shall sign encroachment agreements accepting responsibility for the construction, maintenance, and liability of the constructed and conditionally approved encroachment.

FINDING 1. The Planning Department determined that the subject encroachment is in conformity with the General Plan.

FINDING 2. All required City Agencies provided review and no further comment to the overall encroachment.

FINDING 3: Pursuant to Public Works Code Section 786.7(f)(4) *“no public right-of-way occupancy assessment fee shall be charged against the permittee for elements installed...for improvements associated with a Planning Commission approved in-kind agreement in accordance with the Planning Code”*.

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Debra Lutske

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Nuru, Mohammed
Director